

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1477 be amended to read as follows:

- 1 Page 3, line 42, after "." insert:
- 2 **"In enacting this chapter, the general assembly finds that**
- 3 **covenants not to compete are negative management techniques**
- 4 **which are not favored and undermine the ability of employees to**
- 5 **seek jobs with higher wages and improved benefits. Restrictions**
- 6 **placed on employees by covenants not to compete have negative**
- 7 **consequences for employees striving for better economic conditions**
- 8 **for themselves and their families. Covenants not to compete**
- 9 **prevent employees from using their knowledge, skill and ability to**
- 10 **compete fully and effectively. The anticompetitive restrictions in**
- 11 **covenants not to compete are harmful to the basic tenants of our**
- 12 **capitalist economy and every contract by which anyone is**
- 13 **restrained from engaging in a lawful trade, business or profession**
- 14 **is to that extent void and unenforceable."**
- 15 Page 4, delete lines 1 through 13.
- 16 Page 4, line 14, delete "Sec. 4" and insert "**Sec. 2**".
- 17 Page 4, line 16, delete "or 3".
- 18 Page 4, line 17, delete "or 3".
- 19 Page 4, after line 24, begin a new paragraph and insert:
- 20 **"Sec. 3. Reasonable covenants not to compete given by an owner of**
- 21 **a business in connection with the sale of that business are not**
- 22 **subject to this chapter.**
- 23 **Sec. 4 Nothing contained in this chapter shall be deemed to amend**
- 24 **Uniform Trade Secrets Act, IC 24-2-3."**
- 25 Renumber all SECTIONS consecutively.

(Reference is to HB 1477 as printed February 9, 2001.)

Representative CROOKS